

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

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Jeffrey Cordtz

Case: 1:21-cv-02003-MHC

Plaintiff,

v.

Johnson Legal Offices, LLC; and
and Larry W. Johnson,
Defendants.

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PLAINTIFF’S OPPOSITION TO DEFENDANT’S BILL OF COSTS

Plaintiff opposes Defendant's bill of costs which was submitted under
“penalty of perjury that the foregoing costs are correct and were necessarily
incurred in this action....”

The cost of obtaining any printed or electronically recorded transcript
is taxable if it was “necessarily obtained for use in the case.” 28 U.S.C. §
1920(2). Deposition transcripts incurred for the prevailing parties’
convenience or for the purposes of investigation are not recoverable.
Watson v. Lake County, 492 F. App’x 991, 996-97 (11th Cir. Oct. 25, 2012).

Defendants seek \$785 for a payment on October 12, 2021, for an
unknown deposition apparently taken by a company named Georgia Court
Reporting which seems to go by another name called Elizabeth Gallo Court
Reporting, LLC. That company was not a court reporter for a deposition

taken in this case. The Defendants are asking for reimbursement for an unidentified deposition taken in another case. This should not be allowed.

Defendants seek \$746.92 for Plaintiff's deposition and \$312.70 for the deposition of non-party McMichael, Taylor & Gray, LLC, but it has not been shown that these were necessarily obtained for use in the case.

Defendants are not entitled to \$239 in copying costs because they haven't stated what copies were made and what was their use or intended use. The Defendants simply wrote "Copying at 2,390 pages at \$0.10 per page totaling \$239.00". Evidence "regarding the documents copied including their use or intended use" must be provided to get costs. *Cullens v. Georgia Dept. of Trans.*, 29 F.3d 1489, 1494 (11th Cir. 1994).

Defendants also improperly seek without specification or itemization- Other Costs for postage of \$55.32 and a GSCCA clerk fee for \$6.50.

CONCLUSION

Defendant's Request for Costs under Section 1920 should be denied.

Dated: January 9, 2023

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